

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

901 NORTH FIFTH STREET
KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION
AGENCY REGION VII
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

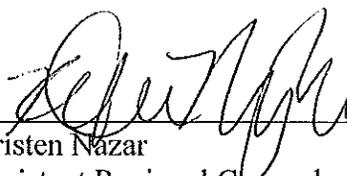
In the Matter of)	Docket No. RCRA-07-2009-0012
)	
Spirit AeroSystems, Inc)	
3810 S. Oliver)	COMPLAINANTS MOTION
Wichita, Kansas 67210)	FOR LEAVE TO FILE
)	AN AMENDED COMPLAINT
Respondent.)	
_____)	

COMPLAINANT'S MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT

Pursuant to Rule 22.14(c) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, Complainant, the United States Environmental Protection Agency, Region VII (EPA) seeks leave of the Court to amend the Administrative Complaint filed by EPA on September 29, 2009. This Amended Complaint should reflect the correct EPA inspection date, July 18-21, 2006, in lieu of the June 18-21, 2006 inspection date referenced in Paragraphs 11, 13, 16, 22, 23, 27, 30-35, 38, 40, 43, 45, 47, 50, 53, 56, 61 and 62 of the original Complaint filed by EPA on September 29, 2009.

This motion to amend is submitted in good faith, and will not cause prejudice to the Respondent. The Respondent has no opposition to this Motion.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Kristen Nazar', is written over a horizontal line.

Kristen Nazar
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region VII
901 N. 5th Street
Kansas City, Kansas 66101
(913) 551-7450

ATTORNEY FOR COMPLAINANT

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of November, 2009, I hand-delivered the original and one true copy of this Motion for Leave to Amend the Complaint, to the Regional Hearing Clerk, and sent one true and correct copy:

via Certified Mail, return receipt requested, to:

Mr. Charles Efflandt
Foulston & Siefkin LLP
1551 N. Waterfront Parkway, Suite 100
Wichita, KS 67206-4466

and to

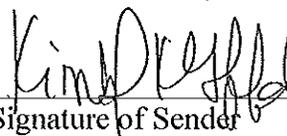
Mr. Frederick Dodds
Spirit AeroSystems, Inc.
P.O. Box 780008 MC K11-60
Wichita, Kansas 67278-0008

via Federal Express, to:

Chief Judge Susan L. Biro
U.S. Environmental Protection Agency
Office of Administrative Law Judges
1200 Pennsylvania Avenue NW, Mail Code 1900L
Washington, D.C. 20460-2001

and to

Judge Spencer Nissen
U.S. Environmental Protection Agency
Office of Administrative Law Judges
1200 Pennsylvania Avenue NW, Mail Code 1900L
Washington, D.C. 20460-2001



Signature of Sender